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Attorney's Docket No. 12504.370



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Non-Provisional Application

Title: THERAPEUTIC COMPOSITIONS
EFFECTIVE AGAINST GRAM POSITIVE
BACTERIA

Group Art Unit: Unknown

Examiner: Unknown

Inventor: Pettit et al.

Serial No.: 09/893,861

Filing Date: June 28, 2001

Conf. No.: Unknown

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

JUN 02 2003

OFFICE OF PETITIONS

PETITION TO REVIVE UNDER 37 C.F.R. § 1.137(b)

Applicants hereby petition under 37 C.F.R. § 1.137(b) to revive the captioned patent application. The application was unintentionally abandoned on or about February 17, 2002, for failure to file a response to a Notice of Missing Parts mailed on August 17, 2001. Applicants did not receive the Notice of Missing Parts. Applicants also did not receive a Notice of Abandonment. Applicants' undersigned attorney of record learned that the application was abandoned after his legal assistant called the Office to inquire about the status of the application.

With this petition, Applicants have filed their Response to the Notice of Missing Parts and have enclosed a check for \$715.00 to cover the petition fee of \$650.00 under 37 C.F.R. § 1.17(m) and the \$65.00 surcharge fee for the late filing of the declaration under 37 C.F.R. § 1.492(e). Applicants previously claimed small entity status.

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06/02/2003 AWONDAF1 00000036 09893861

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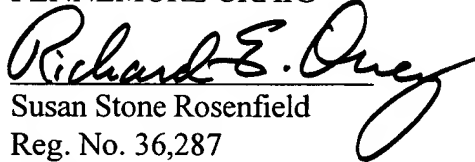
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PETITION TO REVIVE UNDER 37 CFR 1.137(b)
U.S. Nonprovisional Application No. 09/893,861

The entire delay in filing the required response from the due date for the response until the filing of a grantable petition pursuant 37 C.F.R. § 1.137(b) was unintentional. Therefore, Applicants respectfully request that the application be revived.

Dated: May 28, 2003.

Respectfully submitted,
FENNEMORE CRAIG

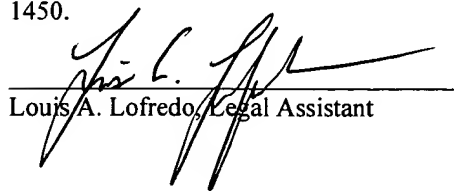

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CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. § 1.10

Express Mail Label No. EV 217411867 US

Date of Deposit 5-28-03

I hereby certify that this paper and all documents and any fee referred to herein are being deposited on the date indicated above with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Louis A. Lofredo, Legal Assistant

5-28-03
Date of Signature